



**HELEN F. DALTON & ASSOCIATES, P.C.**  
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January 7, 2022

**Via ECF**

The Honorable Judge Valerie E. Caproni  
United States District Court  
Southern District of New York

Re: **Velasquez et al v. NYC Trucking Corp. et al**  
**1:20-cv-05229-VEC**

**MEMO ENDORSED**

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/10/2022

Dear Judge Caproni:

Our office represents the Plaintiffs in the above-referenced matter and we submit this letter motion with Defendants' consent to respectfully request an extension of time to file the parties' settlement agreement and motion for approval pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The *Cheeks* submission is due to the Court by January 8, 2022 pursuant to the Court's December 8, 2021. We respectfully a two-week extension of time to file through January 21, 2022.

We request this one brief extension of time as we are in the process of finalizing the terms and draft of the settlement agreement, which has seen delay due to the holidays and recent COVID-19 outbreaks in Plaintiff's counsel's office. This is the first request for an extension of time to file the *Cheeks* submission in addition to prior extension referenced above. Additionally, we request that the January 14, 2022 conference be adjourned as well as the parties are still working towards finalizing the settlement submissions.

We thank Your Honor for her consideration on this matter and remain available to provide any additional information.

Respectfully submitted,

/s/ James O'Donnell  
James O'Donnell, Esq.

Application GRANTED. The parties must, no later than **January 21, 2022**, either file a joint letter motion (and the settlement agreement), requesting that the Court approve the settlement agreement or, alternatively, provide documentation of the approval by DOL. The required contents of the letter motion are set out in the Court's December 8, 2021 Order, *see* Dkt. 33.

The January 14, 2022 conference is CANCELED. If no letter or stipulation is filed by January 21, 2022, a conference shall be held on **January 26, 2022 at 10:00 a.m.** in Courtroom 443 of the Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, New York 10007.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

1/10/2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE